

## ARTICLE 7 SUBDIVISION REGULATIONS

### 700 PURPOSE AND INTENT

A. The purpose of these regulations is to facilitate the orderly growth and harmonious development of the City, and to protect and promote public health, safety and welfare. More specifically, these regulations are for the purpose of achieving the following objectives:

1. To accommodate new development in a manner which protects the natural environment and scenic beauty of Sedona. Specifically, these regulations are intended to:
  - a. Encourage creative land planning and construction that will be more compatible with hillside areas within the City;
  - b. Encourage the clustering of dwellings and other structures to help save larger areas of open space and preserve the natural terrain, minimize public infrastructure costs and prevent public safety hazards;
  - c. Promote the use of good design, landscape architecture and civil engineering to preserve and enhance the existing and future appearance and resources of hillside development areas, natural vegetation and scenic vistas;
  - d. Encourage the planning, design and development of building sites to minimize adverse visual impacts on view corridors and take advantage of the natural terrain, as well as provide for public safety and human enjoyment;
  - e. Protect and enhance the beauty of the landscape through the retention of natural topographic features, such as watercourses, drainageways, floodplains, slopes, ridge lines, rock outcrops, vistas, native vegetation and trees;
  - f. Minimize the construction of building pads in hillside development areas;
  - g. Provide safe ingress and egress for vehicular and pedestrian traffic to and within hillside development areas; and

- h. Encourage the placement of roads and driveways so that they follow natural topography wherever possible, and minimize cutting and grading.
  2. To provide lots and parcels of sufficient size and appropriate design for the purposes for which they are to be used.
  3. To insure safe and efficient traffic circulation through coordinated street systems with relation to major thoroughfares, adjoining subdivisions and public facilities.
  4. To provide adequate water supply, sewage disposal, storm drainage and other utilities and facilities.
  5. To provide for adequate sites for schools, recreation areas and other public purposes.
  6. To protect or enhance real property values.
  7. To facilitate the transfer of lands having accurate legal descriptions and to establish and assure the rights, duties and responsibilities of subdividers and developers with respect to land development.
  8. To assure that the costs of providing the necessary rights-of-way, street improvements, utilities and public areas and facilities for new developments are borne fairly and equitably.
  9. To provide legal procedures for achieving the purpose, interest and objectives as stated in this Code.
- B. These regulations are intended to provide a common ground of understanding and an equitable working relationship between public and private interests, so that both independent and mutual objectives can be achieved in the subdivision of land.

## **701 SHORT TITLE**

These regulations shall be known as the City of Sedona Subdivision Regulations.

## **702 AUTHORITY AND APPLICABILITY**

These regulations shall be governed by Arizona Revised Statutes, Title 9, governing the division and platting of land pursuant to these statutes.

In general, these regulations apply throughout the City of Sedona. All subdivisions or splits within the City shall comply with these regulations. The degree of regulation imposed on any given parcel depends not only on its environmental sensitivity, but also on its legal status as an existing parcel on the effective date of this Code. In the event of a conflict between the provisions of this Article 7 and other provisions of this Land Development Code or the Sedona City Code, the provisions of this Article 7 shall prevail.

## **703 PRIVATE AGREEMENTS**

The provisions of these regulations are not intended to annul any easements, covenants or other existing agreements which are more restrictive than the provisions of these regulations.

## **704 PLATTING PROCEDURES AND REQUIREMENTS**

**704.01 Outline of Procedures.** The preparation, submittal, review and approval of all subdivision plats located inside the limits of the City shall proceed through the following progressive stages:

- A. Stage I - Pre-application Conference
- B. Stage II - Conceptual Review
- C. Stage III - Preliminary Plat
- D. Stage IV - Revised Preliminary Plat
- E. Stage V - Final Plat.

### **704.02 Stage I - Pre-Application Procedures.**

- A. General Discussions. After an initial inquiry in which the Director will explain the subdivision review process and submittal requirements, a pre-application consultation with the Director shall be held. The purpose of the pre-application meeting is for the applicant to meet informally with the Director to discuss the proposal and clarify procedural steps, design and improvement standards and general plat requirements.

**704.03 Stage II - Conceptual Review.** Before commencing with more formal preliminary plat submittal and review procedures, a conceptual review public meeting shall be scheduled with the Planning and Zoning Commission. The purpose of this public meeting is to provide an opportunity for the applicant to hear any concerns, comments or requests for additional information from the Director, Commission, applicable reviewing agencies and utilities, and members of the public. The Director of Community Development may waive the conceptual plat requirement on the basis of potential location or visually-related impacts for small subdivisions and condominium projects that are ten (10) lots or less in size.

- A. Acceptance of the Conceptual Plat. A conceptual review service charge for subdivision review, as specified in the City Fee Schedule, as amended, shall be paid by the applicant prior to the acceptance of the conceptual plat.

Upon receipt of a conceptual plat application, the Director shall;

- 1. Assign a case number to the request;
- 2. Distribute copies of the application to representatives of utilities, agencies and governments which may be affected or have a pertinent interest in the proposed subdivision for their written comments;
- 3. Distribute comments to the applicant and discuss these comments at a Committee meeting within twenty eight (28) days of formal acceptance of the plat;
- 4. Upon conclusion of the Committee meeting a Preliminary Memorandum of Understanding shall be prepared by the applicant and formally acknowledged in writing by all interested parties. The Preliminary

Memorandum of Understanding Agreement shall include all items discussed at the project review committee meeting.

5. Prepare a written report that describes the development proposal and summarizes all of the comments received for subsequent submittal to the Commission and the applicant not less than seven (7) days before the scheduled public meeting.

- B. Public Meeting and Notice. The Commission shall hold at least one public meeting on each conceptual plat. The public meeting shall be held within seventy (70) days of formal acceptance of the plat.

Notice of a public meeting shall be given not less than fifteen (15) days nor more than thirty (30) days before the date of the meeting, by publication in a newspaper of general circulation, posting the subject property and mailing notification to all persons whose names appear on the latest adopted tax roll as owning property within three hundred (300) feet of the exterior boundaries of the subdivision that is the subject of the meeting.

- C. Responsibilities of the Commission. At the public meeting no actions shall be taken by the Commission on the conceptual plat. The purpose of the meeting is to provide an opportunity for the applicant to hear any concerns, comments or requests for additional information from the Director, Commission, applicable reviewing agencies and utilities, and members of the public.

**704.04 Stage III - Preliminary Plat.** Preliminary plat submission and review commences after the conclusion of conceptual review with the Planning and Zoning Commission. This stage of land and airspace subdivision includes detailed subdivision planning, submittal, review and approval of the preliminary plat. To avoid delay in processing this application, the subdivider should carefully provide the department with all information essential to determine the character and general acceptability of the proposed development.

- A. Zoning. The subdivision shall be designed to meet the specific requirements for the zoning district within which it is located. If applications for rezoning and plat approvals are filed at the same time, the Commission shall hold the public hearing on the rezoning and plat approval at the same time.
3. Prepare a written report for subsequent submittal to the Commission and the applicant not less than seven (7) days before the

meeting.

Any furtherance of pre-development activity engaged in by or in behalf of the developer while an application for rezoning or variance is pending, shall in no instance be construed as having been undertaken in reliance of an approval of such application.

- B. Owner's Authorization. If the applicant is not the legal owner of the property to be subdivided, the applicant shall, before filing the plat, obtain and submit written consent to act in behalf of the legal owner.

- C. Service Charge. A development review service charge for subdivision review, as specified in the City Fee Schedule, as amended, shall be paid by the applicant prior to the acceptance of the preliminary plat.

- D. Acceptance of the Preliminary Plat. Upon receipt of a preliminary plat application, the Director shall review it for consistency with the requirements for preliminary plat submittal and the design standards and improvements of these regulations. Upon determination that such consistency does exist and that the application is complete, the Director shall accept the application for filing and notify the applicant in writing when formal acceptance is effective. If the plat does not meet such requirements, the Director shall inform the applicant of the corrections necessary within five (5) working days of the date the plat was received, and withhold acceptance until the corrections are made.

- E. Action of the Director. Upon formal acceptance of the preliminary plat, the Director shall;

1. Distribute copies of the application to representatives of utilities, agencies and governments which may be affected or have a pertinent interest in the proposed subdivision for their written comments;
2. Distribute comments to the applicant and discuss these comments at a staff/applicant meeting within twenty eight (28) days of formal acceptance of the plat; and

scheduled public hearing.

- F. Public Hearing and Notice. The Commission shall

hold at least one public hearing on each preliminary plat. The hearing shall be held within seventy (70) days of formal acceptance of the plat. In the interest of expediting the application, the public hearings before both the Commission and Council should be scheduled in such a way that no more than forty five (45) days shall elapse between these hearings.

Notice of a public hearing shall be given not less than fifteen (15) days nor more than thirty (30) days before the date of the hearing, by publication in a newspaper of general circulation, posting the subject property and mailing notification to all persons whose names appear on the latest adopted tax roll as owning property within three hundred (300) feet of the exterior boundaries of the subdivision that is the subject of the hearing.

G. Responsibilities of the Commission. The Commission shall make a written recommendation to the Council on the proposed preliminary plat. This recommendation may be for approval, conditional approval or denial of the preliminary plat as proposed, after considering the recommendations and findings of the Director and all other appropriate agencies and testimonies of the applicant, interested individuals and the public. The Commission's recommendation shall be based on the following Findings:

1. That the proposed subdivision conforms to the adopted goals, objectives and policies of the City.
2. That the proposed subdivision, as reviewed and approved, will not be detrimental to the public health, safety and general welfare.
3. That environmental concerns, including scenic impacts, conform with adopted standards.
4. That the design of the proposed subdivision is sensitive to the physical characteristics of the site.
5. That the proposed subdivision is consistent with the provisions and intents of zoning regulations applicable to the property.
6. That the proposed subdivision conforms with the improvement and design standards set forth in these regulations and other applicable adopted ordinances.

If the plat is generally acceptable but requires minor revision before proceeding with preparation of the final plat, the Commission may find conditional approval and note the required revisions in the minutes of the hearing.

If the Commission finds that the plat requires major revision, consideration of the plat may be continued pending revision or re-submittal of the plat or any part thereof. Major revisions shall be subject to the same review requirements as the original submittal.

If the Commission is unable to make a determination because additional consideration is necessary, the Commission may continue consideration of the plat to its next regularly scheduled public hearing or other properly noticed public hearing as agreed to between the Commission and the applicant.

H. Referral to the Council. The staff shall refer the written recommendations of the Commission on the preliminary plat to the Council within fifty six (56) days of its decision. After conducting a properly noticed public hearing, the Council shall approve, conditionally approve, deny or continue its consideration of the proposed preliminary plat. An action to approve or conditionally approve shall be based on the same Findings as the Commission is bound by in making its recommendations.

If the Council is unable to make a determination because additional consideration is necessary, the Council may continue the preliminary plat to its next regularly scheduled public hearing or other properly noticed public hearing as agreed to between the Council and the applicant.

I. Refiling Following Denial. If a preliminary plat is disapproved by the Council, a similar preliminary plat of the same area or portion thereof may not be refiled for at least six (6) months from the date of disapproval. If a plat is refiled, it shall be treated as a new application and all fees shall be paid.

**704.05 Stage IV - Revised Preliminary Plat.** This stage encompasses final subdivision design with an emphasis on satisfaction of required conditions of approval and revisions to site design which may be required before consideration of a final plat.

A. Required revisions to the preliminary plat must be submitted for review by the Director within sixty (60) days of Council action on the plat. The Director shall respond in writing to the revisions

within twenty (20) working days of their submittal.

- B. A Memorandum of Understanding Agreement between both parties shall be prepared by the applicant and formally acknowledged by both parties. Written substantiation of compliance with all statutory or local ordinance requirements and all revisions to the preliminary plat shall be provided to the Department as an addendum to the Memorandum of Understanding Agreement.

**704.06 Expiration of Preliminary Plat Approval.**

The approval of a preliminary plat shall expire thirty six (36) months from the date approved by the Council, subject to the following:

- A. Final plats recorded within twelve (12) months of the original Council approval shall be subject to the design and improvement standards applicable at the time of the approval.
- B. Applications for final plats processed through the City more than twelve (12) months after original Council approval of the preliminary plat shall be subject to the design and improvement standards applicable at the time of the application.
- C. Preliminary plat areas for which no final plat has been applied for or recorded within thirty six (36) months of original Council approval shall expire and shall require a new subdivision application.
- D. It shall be the responsibility of the subdivider to monitor elapsed time and reflect appropriate design and improvement standards with each submittal.

**704.07 Amendments to Approved Preliminary Plats.**

The actions taken by the Commission and Council on any amended preliminary plat shall be limited to that portion of the plat affected by the amendment and shall not be construed as extending the time in which the final plat shall be filed. Any amended portion of a preliminary plat shall comply with the requirements in effect at the time this amendment is considered by the Commission. The amended plat shall show all of the information required by this section concerning any changes that may have been made on the plat.

**704.08 Stage V - Final Plat.**

- A. Filing of Final Plat. To initiate these final plat procedures, the applicant shall file one reproducible original and twenty (20) copies of the final plat with the Director.

The final plat shall be presented in accordance with the requirements set forth in these Regulations and shall conform to the approved revised preliminary plat.

Until a final plat of a subdivision has been approved in accordance with these Regulations, no division of land either by recording a plat, conveyance or other similar action which by definition constitutes a subdivision, shall be permitted.

1. Final Plat Review.

- a. The Director, upon receipt of the final plat submittal, shall immediately record receipt and date of filing and check it for completeness. If complete, the Director shall review the plat for substantial conformity to the approved revised preliminary plat and refer copies of the submittal to the following reviewing offices, who shall make known their recommendations in writing addressed to the Council.
  - i. Engineering Department and Flood Control Districts for approval of final construction drawings showing flood control, proposed street system, sewer or other approved alternate systems and water proposals.
  - ii. Building Division and Parks and Recreation Department, when applicable.
  - iii. County or State Health Departments, for approval of sewage disposal and water supply plans.
  - iv. State Highway Department and/or County Highway Department for approval where the plat abuts a state or county highway.
- b. The Director shall assemble the recommendations of the various reviewing officers, prepare a concise summary of the recommendations and submit this summary to the Council with the reviewers' recommendations. If the

Director finds that the final plat does not conform to the revised preliminary plat as approved by the Commission, then the final plat shall be submitted to the Commission for review and recommendation before submittal to the Council.

2. Final Plat Approval. An application for final plat approval shall comply in all respects with the provisions of these regulations.

- a. Upon receipt of a complete application for Council action on a final plat, the request shall be placed on the agenda of a regular Council meeting within fifty six (56) days. The Council shall approve or deny the plat at this meeting.
- b. If the Council approves the plat, the clerk shall transcribe a certificate of approval on the plat, first making sure that all required certifications have proper signatures.
- c. When the certificate of approval by the Council has been transcribed on the plat, the Department shall retain the copy to be recorded until the City Engineer certifies that the subdivision has been staked and the engineering plans have been approved.
- d. The Director shall authorize the final plat to be recorded in the Office of the County Recorder of Yavapai and/or Coconino County.

B. Approved Plat Required for Development. The applicant shall not record a plat unless the plat has been approved by the Council. Any offer to sell, contract to sell, sale or deed of conveyance of a major or minor subdivision or any part thereof before a final plat, in full compliance with the provisions of these regulations, has been duly recorded in the office of the County Recorder, shall be a violation of this Code.

C. Amendments to the Final Plat. All improvements required for the development of the subdivision shall comply substantially with the plans approved and adopted by the City Council. Any amendments to the approved subdivision final plat shall be accomplished in the same manner as the original subdivision application procedure, as prescribed in

Article 7, with the exception of minor amendments, as specified below. The following procedure shall be followed for any amendment to a final plat, including amendments to the subdivision's phasing schedule.

1. Major Amendments.

- a. An applicant or his successors in interest may file a request for a major amendment with the Director.
- b. The change will be deemed major if it involves any one (1) of the following:
  - i. An increase in the approved total of units, lots or gross commercial area for the subdivision.
  - ii. A significant change in the zoning district boundaries as determined by the Director, from those approved for the subdivision.
  - iii. Any change which could have significant impact on areas adjoining the subdivision as determined by the Director.
  - iv. Any change which could have a significant traffic impact on roadways adjacent or external to the subdivision as determined by the Director.
- c. The Director will bring the major amendment before the Commission and the Council following the procedures as prescribed in Sections 704.04 through 704.08.

2. Minor Amendments

- a. The applicant or his successors in interest may file a request for a minor amendment with the Director.
- b. The request will be routed for comment to any affected City departments or other agencies.
- c. Upon receipt of comments, the Director will determine whether the requested change is minor or major.
- d. If the requested change is determined to be minor, twelve (12) copies of the amended final plat shall be submitted to

the Director. The amended final plat shall include the following information:

- i. Completed application form.
  - ii. Legal description of the property.
  - iii. Statement or letter of authorization from the property owner (if different from the applicant).
  - iv. Filing fee.
  - v. A plan identifying existing or approved lot lines, as well as the proposed lot lines.
  - vi. A topographic map with a minimum two-foot contour, or at such other intervals as approved by the Director.
  - vii. A plan identifying all existing structures and the conceptual location of proposed structures.
  - viii. General location of existing vegetation on the site.
  - ix. Proposed arrangement of lots or units.
  - x. The form of the final plat amendment, title sheet, and survey and descriptive data required shall follow the requirements of Section 704.09D. Signature lines with date for the applicant, Director and Mayor shall also be provided on the amended final plat.
  - xi. Such other information requested by the Director relevant to the final plat amendment.
- e. The Director shall assemble the recommendations of the various reviewing officers, prepare a concise summary of the recommendations, and submit this summary to the Council.
- f. Upon receipt of a complete application for Council action on a final plat amendment, the request shall be placed on the agenda of a regular Council meeting within fifty six (56) days. The Council shall approve or deny the final plat amendment at this meeting.
- g. If the Council approves the plat, the clerk shall transcribe a certificate of approval on the plat, first making sure that all required certifications have proper signatures.

- h. The Director shall authorize the final plat to be recorded in the Office of the County Recorder of Yavapai and/or Coconino County.

#### **704.09 Submittal Requirements.**

A. General. This Section 704.09 sets forth the submittal requirements for conceptual plats and preliminary plats as required by this Article 7. In some instances, the requirements listed below will not apply to a given proposal or piece of property; in those instances the Director may waive those requirements. The information requested by this Section 704.09 and as required by other applicable codes and ordinances, may be combined into one or more maps or plans, provided that the combined maps or plans adequately depict the required information. All submittals shall be presented on plan sheets at the size and scale as determined by the Director. If required information has previously been submitted to the City and formed the basis of an approved development project, the same information need not be submitted again. Applicants shall meet with Department staff prior to formal submittal to discuss submittal requirements, as described in Section 704.02. After approval of any subdivision development plan, any change to the approved plan shall be resubmitted for a new approval prior to proceeding with the changed portion of the development plan.

B. Information Required for Conceptual Plat Submittals. All conceptual plat submittals shall include the following to assist in the evaluation of the proposed subdivision development's sensitivity to the natural environment:

1. Completed application forms.
2. Legal description of the property.
3. Statement or letter of authorization from the property owner (if different from the applicant).
4. Filing fee.
5. An ownership map of property owners within three hundred (300) feet of the exterior boundaries of the subject property as shown on the last assessment of the property. A list of these property owners shall also be provided on mailing labels and keyed to the

map showing the location of the identified properties.

6. A topographic map with a minimum two-foot contour, or at such other intervals as approved by the Director.

7. A slope analysis with sufficient data to allow independent verification of the slope analysis. The slope analysis shall indicate by area the following slope categories:

- 0 - less than 10%
- 10 - less than 20%
- 20 - less than 30%
- 30 - less than 40%
- 40+%

8. A plan identifying all existing structures and the conceptual location of proposed structures.

9. A concept development plan (the conceptual plat) showing the proposed configuration, size in acres, number of residential units and/or lots or the square footage of proposed non-residential buildings, and underlying zoning categories for each use.

10. A document including all proposed modifications to basic ordinance requirements (i.e., lot size, setbacks, lot coverage and other criteria as indicated in the Land Development Code for that density).

11. A written narrative describing the overall project. This narrative shall include information on the following concerns regarding the proposed subdivision and surrounding land areas:

- a. Proposed lot sizes.
- b. Proposed land uses in addition to residential uses.
- c. Primary access and interior circulation considerations relevant to the property, including vehicular, bicycle and pedestrian ways.
- d. Major washes and drainageways.
- e. Tentative proposals regarding solid and liquid waste disposal, storm sewer and

electric and gas utility services.

- f. Generalized land uses in the vicinity of the site.

- g. Pending legal problems which are associated with the property.

- h. General location of existing vegetation on the site.

- i. Slope analysis.

- j. Existing site improvements.

- k. Known historical or archeological resources.

- l. Proposed arrangement of lots or units.

- m. Flood hazards.

- n. Tentative proposals regarding traffic impacts.

- o. Preservation of special scenic locations and view corridors.

12. Such other information requested by the Director relevant to the factors covered by this Article 7.

#### C. Information Required for Preliminary Plat Submittal.

1. Form of Presentation. The following information required as part of the preliminary plat submittal shall be shown graphically or by note on plans or by letter, and may comprise several sheets showing various elements of required data. The Director may also require the submittal of this information on computer diskette in a format suitable for his use. All mapped data for the same plat shall be drawn at the same standard engineering scale.

To initiate preliminary plat procedures, the applicant shall file with the Director no fewer than 35 copies of the plat of the proposed subdivision. The Director may, at his discretion, require more copies if needed for subsequent processing.

Every preliminary plat filed shall be clearly



and legibly drawn on 24 x 36 inch sheet(s). The scale shall be at least one inch equals 100 feet. In unusual circumstances, 36 x 42 inch sheets may be accepted.

All preliminary plat submittals shall include the following:

- a. Completed application forms.
- b. Legal description of the property.
- c. Statement or letter of authorization from the property owner (if different from the applicant).
- d. Filing fee.
- e. An ownership map of property owners within three hundred (300) feet of the exterior boundaries of the subject property as shown on the last assessment of the property. A list of these property owners shall also be provided on mailing labels and keyed to the map showing the location of the identified properties.
- f. Letter of intent from the developer describing the subdivision, its proposed name, and its location by section, township and range, as well as its reference by dimension and bearing to an acceptable government section or quarter section corner.
- g. A written report shall accompany the submittal in which the applicant should
- l. In areas with a slope greater than 30%, a soil and geology report identifying areas of unstable slopes, but only if actual construction will occur in the 30+% slope areas.
- m. A map identifying areas of existing man-made scarring and, if proposed, a restoration program.
- n. A plan identifying all existing structures and proposed structures.
- o. A plan showing the proposed configuration, size in acres, number of residential units and/or lots, the square footage of non-residential proposed buildings and underlying zoning

describe the overall project and explain and discuss the intent of the development proposal with specific reference to the following general issues:

- i. overall design rationale and principles of the layout with specific reference to roads and internal circulation, and lot layout;
- ii. compatibility with surrounding land uses;
- iii. anticipated environmental, visual, traffic, drainage or other impacts on the community; and
- iv. any other specific area or issue requiring further explanation to assist the Director in his evaluation of the proposal.
- h. Name, address and telephone number of record owner of property and of the applicant if not the record owner.
- i. Name, address and telephone number of the individual preparing the plat.
- j. Scale (written and bar graph), north point and date of preparation, including dates of any subsequent revision.
- k. A topographic map with a minimum two-foot contour, or at such other intervals as approved by the Director.
- categories for each use.
- p. A development phasing map and proposed timing schedule delineating the configuration, size in acres and general sequence of development and dedication.
- q. Total subdivision acreage and dimensions, and boundary lines.
- r. A location map which shows the relationship of the proposed subdivision to main traffic arteries and any other facilities which locate the subdivision. This map may be on the preliminary plat, but, if this is not practical, a separate map showing title, scale, north point and date, shall be provided.

- s. A context map which clearly portrays any unusual visual features on or within five hundred (500) feet of the site. This presentation may include such materials, at the applicant's option, as slides, photographs, cross sections, maps, computer simulations, perspectives or models.
- t. A circulation plan map delineating the location, classification, names and widths of all major public or private streets and rights-of-way, pedestrian ways, trails and bikeways within five hundred (500) feet of the property boundary, as well as the names of adjacent subdivisions or tracts.
- u. Streets and rights-of-way providing legal access to the property. In general, Forest Service roads are not considered adequate access, unless otherwise determined and approved by the Commission upon recommendation of the Director.
- v. Preliminary construction drawings showing the location, names, areas, width, proposed grade curve, super elevations, sight distances, radii and actual field surveyed cross-sections at intervals as specified by the City Engineer for all streets, highways and ways in the proposed subdivision.
- aa. Locations, elevations and sizes of culverts, storm drains and detention facilities. This information must be accompanied by a hydrologic/ hydraulic analysis, which meets the criteria set forth in "Yavapai County Flood Control District Reference Stormwater Detention Criteria (1/9/89)", referenced as "Appendices A and B". These documents are on file with the City Engineer.
- bb. A report by a licensed sanitary engineer describing proposed wastewater disposal.
- cc. The location of floodway and floodplain boundaries and base flood elevations, as determined by the Federal Emergency Management Agency (FEMA) Flood Maps, and the location of other watercourses and land subject to

Connections to adjoining platted tracts and/or streets contained in these tracts shall also be shown.

- w. Preliminary construction drawings showing the width and approximate locations of all existing or proposed easements or rights-of-way, whether public or private, for streets, drainage, sewers, public utilities, flood control, access to adjacent public lands or other community facilities.
  - x. Typical lot dimensions (scaled); dimensions of all corner lots and lots on curvilinear sections of streets; each lot numbered individually; total number of lots or dwelling units; location and extent of construction envelopes on individual lots.
  - y. A document including all proposed modifications to basic ordinance requirements (i.e., lot size, setbacks, lot coverage and other criteria as indicated in the Land Development Code for that density).
  - z. Designation of all land to be dedicated or reserved for public use, with use indicated.
- inundation or flood hazard. This information must be accompanied by a hydrologic/ hydraulic analysis, which meets the criteria set forth in "Yavapai County Flood Control District Reference Stormwater Detention Criteria (1/9/89)", referenced as "Appendices A and B". These documents are on file with the City Engineer.
- dd. Engineers' calculations and estimated values for each tributary storm runoff for 25 year and 100 year frequency storms, as specified in the Yavapai County Flood Control District Ordinance. The values are to be indicated along the boundary of the plat for all points of drainage entering and leaving the property.
  - ee. Proposed cut and/or fill areas showing original and proposed grade levels with

elevations and contours.

ff. Location of all existing or proposed structures, walls, fences, irrigation ditches, water wells, pipelines and other physical features. The plat shall indicate which improvements are to remain, be altered or removed.

gg. Proposed use of all lots or parcels to be created within the subdivision.

hh. Letters of serviceability for all utilities proposed to service the subdivision, including existing area lines.

ii. Analysis of traffic impacts and proposed mitigation.

jj. Sufficient data to enable the assessment of impact on scenic resources.

kk. School or park sites which may be required.

ll. Public safety (police and fire protection) considerations.

mm. Estimated demand for and supply of water.

nn. Other technical or physical data that may be required to accurately assess project impacts.

2. Sanitary Sewage and Water Supply. As a prerequisite of preliminary plat review by the Department, the subdivider shall inform all appropriate regulatory agencies of his tentative plans and learn the general requirements for sewage disposal, water supply and fire protection, as applied to his location.

3. If the Director determines that the proposed development is within a Hillside Development Area as described in Section 706.08, then the additional submittal requirements of that section shall also be provided.

D. Information Required for Final Plat Submittal.

1. Form of the Final Plat.

a. The final plat shall be legibly drawn, printed or reproduced by a process

guaranteeing a permanent record in black ink on polyester base film that when filed, produces good legible prints and negatives. Certificates, affidavits and acknowledgements shall be legibly stamped or printed on the plat with black opaque ink. All signatures shall be in black waterproof ink, the ink surface coated with a suitable substance when used on polyester base film to assure permanent legibility. Names and titles of signers shall be lettered legibly under their signatures.

b. A border line shall be drawn completely around each sheet leaving an entirely blank margin of one-half (1/2) inch. The binding edge shall be two (2) inches.

c. The bar scale of the map shall be a minimum of one (1) inch equals one hundred (100) feet.

d. The exterior boundary of the subdivision shall be indicated by a heavy line.

e. Each sheet shall be numbered, the relation of one sheet to another clearly shown, and the total number of sheets shown on each sheet.

f. The application number, parcel number, scale and north point shall be shown on each sheet.

g. The subdivider shall provide this information on computer diskette in a format suitable for the Director's use.

2. Title Sheet. Every final plat shall have a title sheet either as a separate page or on the same sheet as the final plat where the size of the subdivision permits. The title shall contain the following:

a. The subdivision name shall comprise the title.

b. Below the title shall be a subtitle consisting of a general description of all the property being subdivided, with reference to subdivisions or to sectional surveys.

c. References to adjacent subdivisions shall

- be worded identically to original records, with references to the books and pages of the subdivision.
- d. Name, address and registration number of the seal of the registered land surveyor preparing the plat.
  - e. Affidavits, certificates, acknowledgments, endorsements, acceptances of dedication and notarial seals required by law and by these regulations shall appear on the title sheet.
  - f. The title sheet shall show the basis of bearings.
  - g. A vicinity map showing the proposed subdivision and surrounding subdivisions, parcels and streets located within a three hundred (300) foot radius of the boundaries of the proposed subdivision shall appear on the title sheet.
3. Survey Data Required. The following survey data shall be required as a part of the final plat submittal.
    - d. Location of all physical encroachments on the boundaries of the tract.
    - e. Ties to any City and County boundary lines, section corners and quarter corners involved.
    - f. The locations and names of streets; their center lines, the lengths, tangents, radii and central angles and radial bearings of curves; the total widths of each street, the width on each side of the centerline, the width of the street being dedicated, and the width of existing dedications, if any.
    - g. All drainageways and drainage easements shall be shown on the plat and must be accompanied by detailed construction drawings for all drainage related improvements.
    - h. Locations, dimensions, bearings, radii, arcs, central angles and net acreage of all areas to be dedicated to the public, with the use clearly indicated.
  - a. The corners of the subdivision shall be located on the monument lines of abutting streets, boundaries of the tract to be subdivided fully balanced and closed, showing all bearings and distances determined by an accurate survey in the field. All dimensions shall be expressed in feet and decimals.
  - b. Any excepted parcels within or surrounded by the plat boundaries shall be noted "not a part of this subdivision", and shall show all bearings and distances of the excepted parcel as determined by an accurate survey in the field. All dimensions shall be expressed in feet and decimals.
  - c. Location and description of cardinal points to which all dimensions, angles, bearings and similar data on the plat shall be referenced. Each of two separate corners of the subdivision traverse shall be tied by course and distance to separate section corners or quarter section corners.
  - i. Locations and widths of utility rights-of-way.
  - j. The dimensions for, and statement of, net acreage of each lot to the nearest one-hundredth of an acre. No ditto marks shall be used. Sufficient data shall be shown to determine readily the length and bearing of each lot line.
4. Descriptive Data Required. The following descriptive data shall be required as part of the final plat submittal.
    - a. All existing private easements within, on, or over the plat shall be indicated, dimensioned and noted as to their use.
    - b. All residential lots shall be numbered by consecutive numbers throughout the plat. "Tracts" and "parcels" shall be so designated, lettered, named, and clearly dimensioned. Parcels which are not a part of the subdivision shall be so designated.
    - c. The locations and dimensions of public

areas and their net acreage.

- d. Location of all adjoining subdivisions with recorded date, name, book and page number noted, or if unrecorded or undivided, so marked.
- e. Any existing or proposed private deed restrictions to be imposed on the plat or any part or parts thereof pertaining to the intended use of the land to be recognized by the City, shall be noted on the plat.
- f. Limitations on rights of access to and from streets and lots and other parcels of land.
- g. Locations and names of streets and pedestrian ways adjacent to the proposed subdivision.
- h. Typical section of proposed roadways to indicate thickness and type of surfacing, thickness of base courses as determined by soil analysis. The design shall be by a qualified soils and testing consultant.

5. Dedication and Acknowledgment.

- a. There shall be required as part of the final plat submittal an irrevocable offer of dedication of any streets, crosswalks, drainageways, pedestrian ways and other easements proposed for public use by any and all landowners or by parties holding titles as vendees under land contract. It may be necessary to dedicate drainage easements to the Flood Control District. If lands dedicated are mortgaged, the mortgagee shall also sign the plat. Dedication shall include a written location by section, township and range of the tract. If the plat contains private access ways, the public utilities shall be reserved the right to install and maintain utilities in the access ways, including refuse collection.
- b. Acknowledgment of the offer of dedication shall be certified by a notary public. All parties having any record title or interest in the land being subdivided shall be included in such acknowledgments.
- c. An offer of dedication to the City and/or

Flood Control District of any streets, pedestrian ways, areas, drainage channels, easements and other rights-of-way for public use either immediate or in the future, does not constitute public ownership or responsibility, until the Council formally accepts the offer of dedication by separate instrument.

- d. It shall be the responsibility of the developer to contact the City Engineer within 90 days from the date of the completion of the public infrastructure to obtain the City's unconditional acceptance of required public improvements. Until the City unconditionally accepts the required improvements, these improvements shall remain the responsibility of the developer. The developer shall be responsible to contact the City Engineer in writing ten (10) days prior to the start of construction of public infrastructure, and monthly thereafter. The purpose of such contact shall be to advise the City of construction progress and anticipated progress during the next month. The City may, at its sole discretion, observe the construction. The developer shall remain responsible to provide inspection and testing services. Records of inspections and tests of public infrastructure shall be provided to the City upon request for a period of three years after written acceptance of the aforementioned infrastructure by the City Engineer.
6. Required Certification. The following certifications shall be required as part of the final plat submittal.
- a. Certification by the registered civil engineer and/or registered land surveyor that the plat is correct and accurate, and that the monuments described in it have either been set or located as described. All maps shall contain the seal of a registered civil engineer and/or land surveyor, whichever is applicable.
  - b. A certificate signed and acknowledged by any and all landowners having any interest in the land subdivided offering for dedication rights-of-access to and from prescribed streets, lots and parcels

of land.

- c. Certification by the Director that the final plat is in substantial compliance with the final plat approved by Council.
- d. Certificate of plat approval by the City Engineer.
- e. Certificate of plat approval by the Health Authority.
- f. Certificate of plat approval by the Fire Marshal.
- g. Certificate of plat approval by the Flood Control District, if applicable.
- h. A certificate of plat approval by the Mayor and Council shall be required before recording the final plat.
- i. A certificate of recordation by the County Recorder shall be furnished to the City.

**705 (RESERVED FOR FUTURE USE)**

**706 SUBDIVISION DESIGN PRINCIPLES AND STANDARDS**

**706.01 General.** The provisions of this article shall apply to all subdivisions which are proposed for property located wholly or partially within the City. Every subdivision shall be generally consistent with applicable goals, objectives and recommendations of the Sedona Community Plan and adopted specific plans and shall comply with all other ordinances and regulations of the City and the Arizona Revised Statutes. Public infrastructure shall be constructed in accordance with City of Sedona Engineering Design Standards and Details and in the absence of such detail shall be constructed in accordance with the Maricopa Association of Governments Standard Drawings and Specifications. If no standard or specification can be found then the standard or specification used shall be subject to approval by the City Engineer. Modifications of Standards, details, and drawings, identified above shall be subject to City Engineer approval prior to incorporation into the work.

**706.02 Reservation of Land for Public Use.** Land areas within a subdivision may be reserved for parks, recreational facilities, school sites and other public facilities including fire stations, open space lands and

open areas and flood control facilities, providing that:

- A. The required reservations are in accordance with the Sedona Community Plan, the Trails and Urban Pathways Plan, and adopted specific plans and other goals, objectives and standards adopted by the Council.
- B. The land area reserved shall be a size and shape that permits the remaining land area of the subdivision within which the reservation is located, to develop in an orderly and efficient manner.
- C. The land area reserved shall be suitable for the intended purpose and shall be planned in such a manner to permit an efficient division of the reserved area in case it is not acquired within the prescribed period.
- D. The public agency for whose benefit an area has been reserved shall have a period of one (1) year after recording the final subdivision plat to enter into an agreement to acquire such reserved land area. The purchase price shall be the fair market value of this land area at the time of the filing of the preliminary plat plus the taxes against the reserved area from the date of the reservation and any other costs incurred by the subdivider for maintenance of the reserved area, and the appraised value of the property involved, including interest at the lowest Bank Prime Rate in the State of Arizona plus one and one half (1-1/2 %) percent.
- E. If the public agency for whose benefit an area has been reserved does not exercise the reservation agreement set forth in this article within this one (1) year period or an extended period mutually agreed to by the public agency and the subdivider, the reservation of this area shall terminate.
- F. Development costs of improvements shall be equitably apportioned between the beneficiary of the reserved area and the subdivider.

**706.03 Street Location and Arrangement**

- A. Whenever a tract to be subdivided embraces any part of a street designated in an adopted City Streets and Highways Plan, the street shall be platted in conformance with the Plan.
- B. Street layout shall provide for the continuation of any streets the Committee may designate. The street pattern in the land development shall not landlock adjacent property nor prevent access to public land.

- C. Whenever a tract to be subdivided is located within an area for which a Neighborhood Plan has been approved by the Commission, the street arrangement shall conform substantially to this plan.
- D. Proposed collector streets shall be extended to the tract boundary to provide future connection to adjoining unplatted lands or to existing collector streets.
- E. Local streets shall be arranged to discourage their use by through traffic.
- F. At least two points of vehicular access into the proposed subdivision shall be provided, where feasible, unless it can be shown to the satisfaction of the City Engineer that legal, topographical and engineering constraints preclude such access.
- G. Where a subdivision abuts or contains the right-of-way of a drainage way, a limited access highway or an irrigation ditch or abuts a commercial or industrial land use, the Committee may require the location of a street approximately parallel to and on each side of this right-of-way at a distance suitable for appropriate use of the intervening land. This distance shall be determined with due regard for approach grades, drainage, bridges or future grade separations.
- H. Streets shall be arranged in relation to existing topography to produce streets of reasonable gradient to facilitate adequate drainage and to produce desirable lots of maximum utility.
- I. To reduce the visual impact of the development of streets and buildings in new subdivisions by minimizing the extent of grading, streets shall be designed to work with the natural contours and shall be placed along the top slopes of ridges, where feasible.
- J. Boundary streets (half streets) shall be discouraged except where necessary to provide right-of-way required by the City Streets and Highways Plan, to complete a street pattern already begun or to insure reasonable development of a number of adjoining parcels. Where there exists a platted half street abutting the tract to be subdivided, the remaining half shall usually be platted within the tract.

#### **706.04 Street and Driveway Design.**

- A. All streets shall be designed in accordance with the standards provided in Table 7.1 and as illustrated in Figures 7.1 through 7.3 below.

- 1. Streets less than twenty (20) feet in width shall not have medians or other obstructions that divide the road width.
- 2. The use of less than twenty- four (24') foot wide road widths on grades exceeding 10 percent shall not be allowed without a traffic study.
- 3. Shoulder grades shall not exceed 5% unless authorized by the City Engineer. The City Engineer may reduce the shoulder requirement if minimum eight (8') foot wide parking bays are provided at acceptable frequencies along the roadway.
- 4. The minimum right of way width for streets shall be as follows:
  - a. Streets with an anticipated Average Daily Traffic (ADT) of 2,500 or less shall have a minimum right of way width of fifty (50) feet. The City Engineer may allow a minimum right of way width less than fifty (50) feet based on unique site and design characteristics inherent to the subdivision design and layout.
  - b. Above 2,500 ADT, the minimum width of a right of way shall be sixty (60) feet.
  - c. Above 2,500 ADT, the pavement width and right of way shall be based on a traffic study that shall consider traffic, pedestrian, (non-motorized vehicles), bicycle, and public utility needs.
- 5. All street designs shall meet the street width standards provided in Table 7.1 For situations not meeting the above criteria the design shall be established after review of a traffic study for the proposed development.
- 6. For proposed streets less than twenty (20) feet in width, paved turnouts shall be provided at fire hydrant locations as approved by the Sedona Fire District. These turnouts shall be designated as "No Parking" areas.
- 7. A minimum two-way street width of 16-feet may be used for a distance not exceeding 130-feet provided that a turn-around area, approved by the City Engineer and the Sedona Fire District, is provided at one end. The 16-foot width shall have no parking along either side. No more than five (5) single-family dwellings shall be served. This width shall not be used except as the last segment of a street.
- 8. The City Engineer shall require installation of "No Parking" and "No Parking on Pavement" signing along roadways constructed per this

Section when parking is restricted per the requirements of Table 7.1. In cases of private roads the owner shall be required to maintain such signing. The City Engineer may also designate and post "No Across Parking" zones on two way streets less than 28 feet in width.

9. Each property fronting on roads with widths less than 20 feet in width per Table 7.1 and Figures 1-3 shall require one additional parking space per parcel beyond that designated for properties similarly zoned. Exceptions to this requirement shall require approval by the City Planning and Zoning Commission and City Council subject to the findings that the parking on the road is not likely to create a safety problem and that it is not practical to provide additional parking on the fronting parcel.

10. Turnarounds shall be provided at the ends of culs-de-sac and at elbows on one-way streets. Turnarounds shall meet the minimum requirements of the Sedona Fire District. A cul-de-sac shall have a minimum outside paved radius of forty (40) feet as measured to the lip of gutter or edge of pavement. A cul-de-sac may have an island no greater than 16 feet in radius centered on the center of the cul-de-sac.

B. Specific street design problems not addressed in these standards shall be resolved by referring to Institute of Transportation Engineers (ITE) Publication No. RP-011C, "Guidelines for Residential Subdivision Streets-A Recommended Practice", (1993). An additional reference source is the 2001 American Association of State Highway and Transportation Officials (AASHTO) publication, "A Policy on Geometric Design of Highways and Streets, 4<sup>th</sup> Edition". In the event of a conflict between these publications, the most stringent standard shall apply.

C. Driveways shall be designed in accordance with the ITE Publication No. RP-006B, "Guidelines for Driveway Location and Design." Maximum grades for driveways shall be limited to fifteen (15%) percent except as otherwise permitted in Section 706.08 of this Code. Within ten (10) feet of the roadway edge, the driveway grade shall not exceed six (6%) percent and the maximum difference between the downward cross slope of the traveled way and the upward slope of the driveway shall not exceed eight (8%) percent.

D. In addition to ITE Guidelines, the following criteria shall apply to private access ways and private street ways serving one (1) to three (3) parcels:

1. Provide a stopping sight distance greater than or equal to one hundred ten (110) feet.
2. Provide an unobstructed view across the triangle formed by joining points measured thirty (30) feet along the property line from the intersection of two streets. Within the area of the triangle there shall be no sight-obscuring or partly obscuring wall, fence, sign or foliage higher than twenty four (24) inches above curb grade or in the case of trees, foliage lower than six (6) feet. Vertical measurement shall be made from the top of the curb on the street adjacent to the nearest street of the triangle or, if no curb exists, from the edge of the nearest traveled way.
3. The centerline radius of horizontal curves shall be not less than one hundred ten (110) feet.
4. The tangent length between reverse curves shall not be less than fifty (50) feet.

E. Additional street and driveway requirements for hillside subdivisions are included in Section 706.08.

**706.05 Street Naming.** New street names shall not duplicate or be similar to those already in existence in the greater Sedona area. Where streets are continuations of existing streets, the name of the existing street shall be used. Proposed street names shall be reviewed and approved by the City Engineer and Council.

#### **706.06 Easement Planning**

- A. Easements for utilities shall be provided as necessary to assure the provision of services to each lot.
  1. The developer will provide to the Director written documentation of approval by the utilities with respect to easements.
- B. Land within a public street or land within a utility easement for major power transmission (tower) lines or pipelines shall not be considered part of the minimum required lot area except where lots exceed one-half acre in area. This shall not be applicable to land involved in utility easements for distribution or service purposes.
- C. Drainage easements shall be provided to the satisfaction of the City Engineer and the County Flood Control District. In no case shall drainage easements be less than twenty (20) feet in width. Such easements shall not necessarily prohibit



construction over drainage ways so long as required flows are maintained.

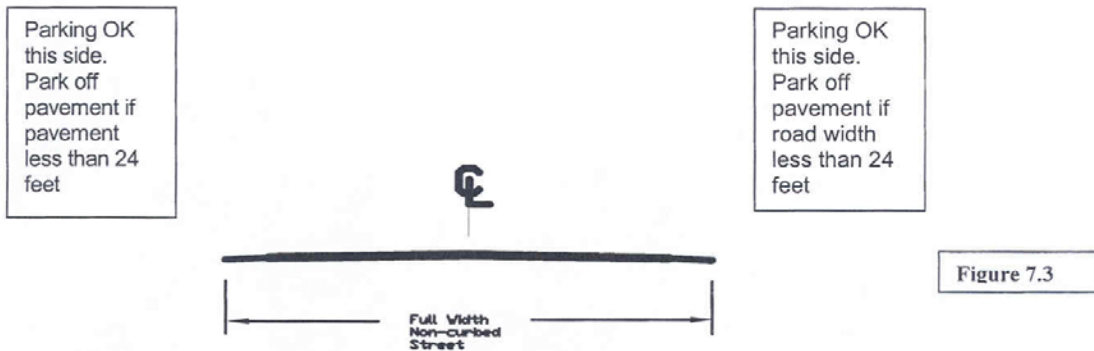
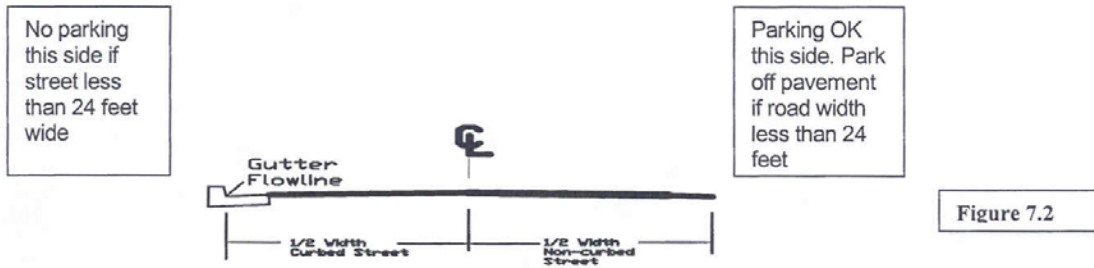
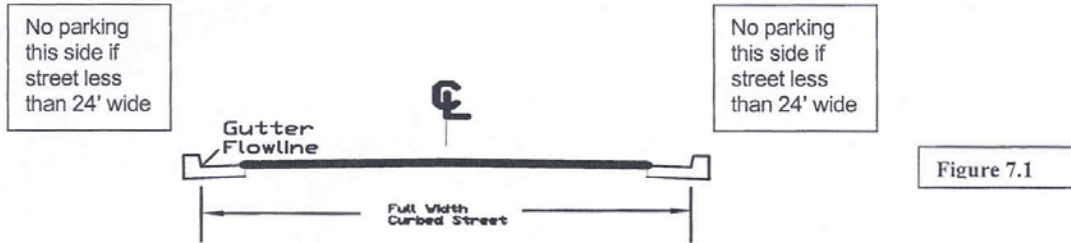
- D. Easements necessary to assure non-motorized access to adjacent public lands shall be provided to the satisfaction of the Director. Such easement shall not exceed ten (10) feet in width and shall not prevent the reasonable improvement of any

development. Pedestrian, bicycle and equestrian ways may be required where essential for circulation or access to schools, playgrounds, shopping centers, transportation and other community facilities. Pedestrian ways may be used for utility purposes.

**Table 7.1 Standards for the Design of Public and Private Streets**

Minimum road width (measured per drawing)	Curb and gutter	On street parking allowable?	Land use	Maximum speed limit (MPH)	Maximum design Average Daily Traffic (ADT)	Maximum # of units served	Max. length
18 feet with 5-foot shoulders	Yes (rolled curb)	No	Residential	25	250	15-single family units	1000
22 feet with 5-foot shoulders	No	Yes, off pavement	Residential	25	250	15-single family units	1000
26 feet with 5-foot shoulders	Yes	Yes	Residential Commercial	25	2500	200	Un-limited
28 feet with 5-foot shoulders	No	Yes	Residential Commercial	25	2500	200	Un-limited
16 feet One way with 5-foot shoulder on one side	Yes	Yes, off pavement	Residential	25	2000	200	Un-limited
16 feet Two way with approved turnaround	No	No	Residential	25	50	5	130

Figures 7.1 – 7.3  
Road Width Measurement Illustrations



## **706.07 Lot Planning**

- A. Lot width, depth, frontage, area and building setbacks shall comply with the minimum requirements of this Code and shall be appropriate for the location and character of development proposed and for the type and extent of street and utility improvements being installed. Where steep topography, unusual soil conditions or drainage problems exist or prevail, special lot width, depth and area standards may be considered. Innovative

development approaches, such as clustered or planned development, should be explored in the interest of producing unique, environmentally-sensitive projects.

- B. The minimum setback requirements for a lot or parcel that abuts an arterial highway shall be increased to a minimum of fifty (50) feet to create a buffer zone between the right-of-way and the remainder of the lot or parcel. Existing natural vegetation shall be preserved in this setback area where feasible, and the Director may require the planting of additional landscape materials (including mature trees) and/or the construction of landscaped earth berms to reduce noise and visual impacts from the right-of-way on adjacent lots or parcels.

- C. Lands that are subject to periodic inundation, subsidence of the earth's surface, high water table, or have difficult topography, unstable soils or other natural or manmade hazards to life or property shall be excluded from subdivision, unless it can be substantiated that proposed lot configurations and sizes, grading and drainage techniques or other special development approaches are reasonable and necessary to protect the public health, safety or general welfare on any lands to be subdivided affected by these characteristics.

The Council may approve subdivision of such land upon receipt of evidence from the City Engineer, the County Flood Control Districts, State and County Health Authorities, and other area Emergency Services Authorities that the construction of specific improvements can be expected to render the land suitable. Construction upon such land shall be prohibited until specified improvements have been planned and construction guaranteed.

- D. The depth-to-width ratio of single-family residential lots shall not be greater than three to one (3:1).

- E. Side lot lines shall be substantially at right angles or radial to street lines, except where other terrain makes such design impractical.

- F. Every residential lot shall abut a public or private street.

- G. Residential lots extending through the block and having frontage on two parallel streets shall be discouraged.

- H. Access to residential lots shall be from local streets except as specifically authorized by the Commission.

- I. Corner lots may be required to be wider than interior lots to provide for setback requirements.

- J. No lot shall be divided by a city, county, school district or other taxing agency boundary.

- K. Lot lines shall be located on or near the crest of ridges to preclude prominent line of sight building construction. Where feasible, building pads shall not be located on or near the crest of ridge lines.

- L. When building pads are located on or near the crest of ridge lines, they shall be located either below the edge of the ridge or setback from the ridge edge so that they would not be silhouetted and existing trees shall be preserved to screen proposed structures.

- M. The number of building pads located on slopes in excess of 30% shall be minimized.

- N. The construction envelope on a lot shall be determined by the yard (setback) requirements for the lot and the location of natural topographic features such as watercourses, rock outcrops, native vegetation and trees. The Director and/or Committee may upon application by the property owner, modify the construction envelope for an individual lot as shown on the final plat, provided that;

1. The revised construction envelope is equally as sensitive to the natural conditions as the original construction envelope;
2. The area of the construction envelope is not enlarged; and,
3. Yard (setback) requirements are not amended.

**706.08 Hillside Development Area.** Because of the unique and peculiar problems inherent in the development of hillside areas, special standards and conditions for Hillside Development areas shall be considered. The provisions of this article shall be applicable to the division of all lands in a Hillside Development Area.

A. Hillside Subdivisions

1. In addition to the information normally required for submittal of a preliminary plat the following information shall also be provided:

- a. A topographic map and slope analysis of existing terrain, showing, in addition to contours, features on the site that require special design considerations as may be identified by the applicant, the Director and/or the City Engineer.
- b. Where necessary to determine that lots will be usable, the Committee may recommend and the Commission may require a plan for each lot, (or where an excessive number of lots may be so required, then a plan for selected lots as determined by the City Engineer and Director) demonstrating conformance with the grading and drainage regulations required by the City, showing the natural topography of the total parcel to be platted; the location and size of all proposed building sites and access; the finished grade at all improvement locations; and the depth and extent of all cuts and fills.
- c. Soil, geotechnical and/or geological reports required to identify soil-bearing capabilities or geological hazards specific to the subject property.

2. In addition to the information normally required for submittal of a final plat the following information shall also be provided:

- a. A final grading plan which conforms to the grading and drainage requirements and all other applicable provisions of the City Code.
- b. A detailed topographic map of scale and contour intervals that clearly show the topography of the area where streets,

driveways, buildings and utility or grading construction is proposed. Suitable cross sections or profiles may also be required.

- c. Road profiles and cross sections at all significant changes in the cross slopes. The cross section shall show proposed and natural grade at the centerline of the road, edge of roadway, the right-of-way line and the proposed building setback lines.

3. Special Design Standards.

- a. Street grades shall conform as closely as possible to natural topography but shall not exceed fifteen percent (15%).
- b. Street grades exceeding twelve percent (12%) shall have a maximum length of 600 feet.
- c. Private access-way grades shall conform as closely as possible to natural topography, but no portion shall exceed twenty-four percent (24%).
- d. Where pedestrian trails or pathways are proposed, sidewalks may be replaced by the trails or pathways.
- e. Vertical curbs shall be required on the downhill side of streets having grades of six percent (6%) or greater; concrete "U" or "V" gutters may be installed in place of conventional rolled or vertical curbs.
- f. On a corner lot, no grading shall be allowed which results in the ground level being raised to obstruct the vision more than a height of three (3) feet above the grade of either street within an area formed by the lot lines on the street sides of this lot and a line joining points on these lot lines located a distance of thirty three (33) feet from the point of their intersection.
- g. Transverse street cross sections with the gutter on the uphill side may be used where approved by the City Engineer. All cut and fill slopes shall be within the roadway right-of-way or roadway easement. Slope maintenance easements for roadway cuts and fills may be

required by the City Engineer.

- h. "Panhandle," double frontage and other unusually configured lots, including lots which have a width to depth ratio greater than one to three (1:3), shall be permitted if it can be adequately demonstrated to the satisfaction of the Committee that their design will eliminate excessive cuts and will not adversely affect any other lot so arranged.
  - i. Each private access way serving more than one lot shall have a minimum paved surface of sixteen (16) feet in width or as may be required by City standards and specifications. Where needed, additional easements for drainage or utilities shall be provided.
4. Grading Standards for Lots, Parcels and Planned Development Sites.
- a. Not more than five percent (5%) of a lot, parcel or planned development site shall be left with a cross slope steeper than the natural grade of the ground or steeper than twenty-five percent (25%) whichever is greater.
  - b. The total area of all cuts and fills, not including the enclosed floor area of the dwelling, shall not exceed fifteen percent (15%) of the lot, parcel or planned development site area.
  - c. Cut or fill slopes shall be entirely contained within the lot when original grading is done.
  - d. All excavated materials which are to be retained on site in accordance with an approved grading plan shall be removed from lots and roadways. Retained excavated materials, unless suitably landscaped, shall be contained behind retaining walls or placed so that the slopes of any fill material will not be visible.

## **707 IMPROVEMENT STANDARDS**

### **707.01 Purpose**

- A. It is the purpose of this Section to establish in outline the minimum acceptable standards for

improvement of streets and utilities; to define the responsibility of the subdivider in the planning, constructing and financing of improvements; and to establish procedures for review and approval of engineering plans.

- B. All improvements in streets or easements which are required as a condition to plat approval shall be the responsibility of the subdivider.

### **707.02 Improvement Plans**

- A. It shall be the responsibility of the subdivider to have a civil engineer registered in the State of Arizona prepare a complete set of improvement plans for construction of water and public sanitary sewer facilities or other approved alternate system and all other required improvements. Such plans shall be based on the approved preliminary plat and be prepared in conjunction with the final plat.
- B. Final construction plans for all improvements shall be approved and signed by the City Engineer before approval of the final plat by the Council.

### **707.03 Construction and Inspection**

- A. All relocation and reconstruction of irrigation facilities shall be done to standards of the owning utility and City Engineer.
- B. All improvements in the public right-of-way shall be constructed under the inspection and approval of the City department having jurisdiction. All construction in public rights-of-way and private streets shall require a City permit. Construction shall not begin until a permit has been issued for the construction. If work has been discontinued for any reason for more than thirty (30) days, it shall not be resumed before notifying the department having jurisdiction.
- C. Improvements proposed or required on County or State highway rights-of-way shall be included in the improvement plans and designed to the applicable County or State standards. Before approval by the City Engineer, the subdivider shall acquire the approval of these improvements by the applicable County or State authorities, as directed by the City Engineer.
- D. The locations of all utilities to be installed in public rights-of-way or in private streets shall be in accordance with the City's right-of-way permit and be approved by the City Engineer.

- E. When located under the pavement, utility mains, utility services and/or conduit shall be installed, with sufficient lateral connections stubbed to accommodate each parcel, and identified and all trench backfill shall be re-compacted in accordance with the City's right-of-way permit and to a density acceptable to the City Engineer, before the final street surfacing is installed.
- F. Underground utilities may be extended and easements shall be required to the boundaries of the plat to provide service connections to abutting unsubdivided land.

#### **707.04 Required Improvements for Subdivisions**

##### **A. Streets**

1. All streets within the boundary lines of the subdivision shall be improved in accordance with Section 706.04 of this Code.
2. Where there are existing streets adjacent to the subdivision, subdivision streets shall be improved in accordance with Section 706.04 of this Code and to the intercepting paving line of such existing streets or to a matching line determined by the City Engineer. Transition paving shall be installed as required by the City Engineer.
3. Where there is no paved street between the subdivision and an existing paved street, an interim street, improved in accordance with Local Street standards, shall be constructed by the applicant for developments with densities in excess of one (1) residential unit per two (2) acres of land.
4. No subdivision shall be approved or recorded until provisions have been made to assure an access road, approved by the City Engineer. Forest Service roads are not considered adequate access.

- B. Curbs - Where streets are to be paved, a concrete curb, curb and gutter or valley gutter, as specified in Section 706.04 of this Code, shall be installed in accordance with approved City standards. When density of development is low or where for other reasons, such as to provide or maintain a rural atmosphere, the installation of curb and gutter is not considered necessary, the Council may waive this requirement for one or both sides of local streets. Vertical curbs shall be installed along arterial and collector streets and on streets along

school or park property.

- C. Monuments - Permanent monuments shall be installed as specified by the City Engineer at all corners, angle points and points of curve, at all street intersections and all corners and at angle points and points of curve of all conservation easements. After all improvements have been installed, a registered land surveyor shall check the location of monuments and certify their accuracy.
- D. Lot Corners - A permanent marker acceptable to the City Engineer shall be set at all corners, angle points and points of curve for each lot within the subdivision before the recording of the plat.
- E. Street Name and Traffic Control Signs - All streets in a subdivision shall be named and identified by signs installed at every street intersection. These signs shall be standard street signs as indicated in the current edition of The Uniform Manual of Traffic Control Devices. All traffic control signs, as well as street name signs, required in a subdivision shall be provided and installed by the City at the expense of the subdivider in conformance with the current edition of The Uniform Manual of Traffic Control Devices.
- F. Water Supply - Each lot shall be supplied with safe, potable water in sufficient volume and at a minimum pressure of twenty (20) PSI for domestic use and fire protection, in water lines which are designed to the standards of ADEQ. Piped water systems shall be stubbed out to the property line of each lot. Minimum service connections shall be three-fourths (3/4) inch to each single-family residential lot.
- G. Fire Protection - Fire protection facilities shall meet the criteria of the Uniform Fire Code as adopted by the Sedona Fire Department and shall be subject to the review and approval of the Fire Marshal.
- H. Sanitary Sewage Disposal shall be provided in accordance with State, County and City health requirements.
- I. Landscaping - All landscaping, including walls, fences and watering systems related to the approved subdivision shall be in accordance with plans approved by the Director.
- J. Storm Drainage - Proper and adequate provisions shall be made for disposal of storm water entering, as well as that originating in the development. This shall apply to grading of private properties, private

access ways and to public streets. Existing major watercourses shall be maintained. The type, extent, location and capacity of drainage facilities for a subdivision shall be as required by the City Engineer in accordance with the approved hydrology report.

Increases in on-site storm runoff due to development shall be addressed in the hydrologic/hydraulic analysis and shall meet the criteria set forth in Appendix "A," "Yavapai County Flood Control District Reference Stormwater Detention Manual (2/15/89)." This document is on file with the City Engineer. When drainage is required to cross at intersecting streets, concrete curb returns and cross-gutters may be required.

#### K. Utilities

1. New utilities, including but not limited to, electric, communication and television cables shall be installed underground.
2. When overhead utility lines exist within the property being platted, including boundary easements, these utility lines and new installations within the platted area shall be placed underground.
3. When overhead utility lines exist on the periphery of the property being platted, they and any additions or replacements needed to increase capacity or improve service reliability may remain overhead, provided that any service drops into the platted area from said peripheral overhead lines shall be underground.
4. The subdivider shall make the necessary arrangements with each of the serving utility companies involved for the installation of the underground facilities. Letters from each utility company indicating that such arrangements have been made shall be submitted to the Department before submittal of the final plat.

#### **707.05 Subdivision Improvement Agreements for Phased Developments**

- A. Upon the approval by the Council of the final plat, the subdivider shall execute an agreement with the City that includes the following:
  1. Provisions for satisfactory drainage, traffic movements, utilities and other services determined by the City Engineer in conjunction

with required subdivision improvements for each development phase within the subdivision.

2. A schedule specifying the time period in which the improvements for each phase shall be completed. Circumstances under which a time extension would be granted, including a review of the adequacy of financial assurance, may be included in the agreement.
3. Provision of financial assurance for the construction of improvements within each phase of development.
  - a) The subdivider may apply to the City Engineer for an appropriate reduction in the amount of financial assurance retained by the City or refund of cash deposit upon completion of each phase.
  - b) Any work abandoned or not completed by the subdivider may be completed by the City, which shall recover the construction costs from the subdivider or surety.
4. No lots shall be released for sale from the approved development phase until either the agreement or an assurance of construction has been posted and accepted by the City Engineer.

B. Notwithstanding the above provisions, a subdivider may, with the approval of the Director and the City Engineer, record a final plat for all of the proposed subdivision, yet only provide financial assurances for the construction of each phase proposed for immediate development.

**707.06 Submittal, Review and Approval of Improvement Plans.** Before the recording of the plat, the following shall be filed with the City Clerk:

- A. A certificate of approval of improvement plans signed by the City Engineer;
- B. A copy of the executed agreement between the City and the subdivider;
- C. The letter of agreement with serving utilities;
- D. Financial assurance, cash or letter of credit in an amount specified by the City Engineer and in a form acceptable to the City Attorney.

#### **707.07 Assurance of Construction**



- A. To ensure construction of the required improvements as set forth in this Article, except those utility facilities defined in Section 707.04K, the subdivider shall deposit with the City Engineer an amount in cash or financial assurance or other legal instrument equal to one hundred (100%) percent of the cost of all work plus the fees established in the Sedona City Code to cover administrative costs, or of each approved phase (as determined by the City Engineer), guaranteeing that all work will be completed in accordance with City plans and specifications in a form acceptable to the City Attorney.

When the improvement of a street by a governmental agency is imminent, the subdivider shall deposit the current estimated costs for the improvement of such facilities commensurate with estimated traffic impacts of the proposed subdivision, as approved by the Director, in an account to be disbursed to the City at the time the contract is awarded for the project.

- B. The financial assurance shall be executed by the subdivider, as principal, with a corporation authorized to transact surety business in the State of Arizona through an authorized agent with an office in Arizona. The financial assurance shall be in favor of the City, shall be continuous in form. The total aggregate liability of the surety for all claims shall be limited only to the face amount of the bond, regardless of the number of years the bond is in force. The bond or cash shall be released upon satisfactory performance of the work and its acceptance by the City Engineer. The bond may not be canceled or the cash withdrawn by the subdivider until other security satisfactory to the City has been deposited which will cover the obligations remaining to be completed by the subdivider.

- C. Assurance of Construction Through Loan Commitments.

1. Instead of providing assurance of construction in the manner provided in Section 707.07 the subdivider may provide assurance of construction of required improvements, (except those utility facilities defined in Section 707.04K) by delivering to the City Engineer, before recording of the plat, an appropriate agreement between an approved lending institution and the subdivider. Funds sufficient to cover the entire cost of installing the required improvements, including engineering and inspection costs and the cost of replacement or

repairs of any existing streets or improvements damaged by the subdivider in the course of development of the subdivision, and approved by the City Engineer shall be deposited with such approved lending institution by the subdivider.

2. The agreement shall provide that the approved funds are specifically allocated and will be used by the subdivider, or on his behalf only for the purpose of installing the subdivision improvements. The City shall be the beneficiary of such agreement, or the subdivider's rights thereunder shall be assigned to the City, and the City Engineer shall approve each disbursement from these funds. The agreement may also contain terms, conditions and provisions normally included by such lending institutions in loan commitments for construction funds or necessary to comply with statutes and regulations applicable to such lending institutions.

**707.08 Warranties.** When a roadway, sewer, storm drainage, sidewalk, or any other infrastructure is to be dedicated to the City, the warranty period shall be a minimum of two (2) years, commencing on the date when said appurtenances are accepted by the City Engineer per Article 704.09.5d. Any warranties provided by the contractor exceeding this two year period shall be assigned to the City upon its acceptance of said work.

**707.09 Fees.** Fees for the plan reviews shall be listed in the City Fee Schedule.

**707.10 Withholding of Building Permits.** Any parcel of land which has been the result of major or minor subdivision that does not comply with this Code, shall not be a legal building site. No building permits shall be issued by the Director in such subdivision until it is caused to comply with this Code.

## **708 WAIVERS**

**708.01 Purpose.** To assure that the strict application of design and improvement requirements provided in Sections 706 and 707 do not prohibit reasonable subdivision development, this Article provides waiver procedures in which the Council may grant administrative relief to the subdivider under certain conditions.

**708.02 Written Request Required.** Whenever a proposed preliminary plat deviates from the

requirements specified in Sections 706 and 707, the applicant shall provide the Director with a written request for a waiver citing specific sections for which a waiver is requested.

**708.03 Action of the Director.** Upon receipt of a request for waiver made concurrent with the filing of a preliminary plat, the Director shall investigate and analyze the request and present his recommendations to the Commission.

**708.04 Action by the Commission.** The Commission shall recommend that the Council approve, approve in modified form or deny the request for waiver in a separate action before taking action on the preliminary plat itself. Any recommendation to approve shall be based on the following Findings:

- A. That strict application of design and improvement regulations would prevent reasonable use of the subject property.
- B. That there are special circumstances applicable to the property related to its topography, shape and/or location that dictate the need for this waiver to assure good subdivision design and development.
- C. That the granting of this waiver shall not be detrimental to the public health, safety or general welfare or injurious to other property in the area in which the subject property is situated.
- D. That granting of this waiver will not be detrimental to scenic or environmental qualities.

**708.05 Action by the Council.** The Commission's recommendations regarding any requested waivers shall be presented to the Council as part of their consideration of a preliminary plat. The Council shall approve, approve in modified form or deny the request for waiver. Any action to approve shall be based on the same Findings as those considered by the Commission.

**708.06 Commission/Council initiated waivers** The Commission and the Council may initiate a waiver from the design and improvement requirements of sections 706 and 707 based on the Findings provided in section 708.04.

## **709 REVERSION TO ACREAGE**

Any subdivided lands may revert to acreage upon approval by the Council according to this section.

**709.01 Reversion Application Required.** To initiate

a reversion to acreage, an application for reversion must be filed with the Director. An application fee of an amount established by the Council shall be paid at the time of filing. Upon receipt of an application for reversion to acreage, the Director shall conduct an investigation and prepare a report for presentation to the Commission at a properly noticed public hearing.

**709.02 Action by the Commission.** Within sixty (60) days of receipt of an application for reversion to acreage, the Commission shall conduct a properly noticed public hearing. Upon completion of the hearing, the Commission shall recommend that the Council approve, approve in modified form or deny the application. Any action to recommend approval shall be based on all of the following Findings:

- A. That the subdivided lands to revert to acreage are under one ownership entity.
- B. That no immediate use of such subdivided lands as they were intended appears imminent.
- C. That such reversion to acreage will not be detrimental to the general welfare of the public.

**709.03 Action by the Council.** Within sixty (60) days of a recommendation action by the Commission, the Council shall conduct a properly noticed public hearing. Upon completion of this hearing, the Council shall approve, approve in modified form or deny the application. Any action to approve shall be based on all of the Findings set forth in Section 709.02.

**709.04 Recording of Survey.** The applicant shall record with the County Recorder a survey of all lands approved for reversion to acreage prepared by a surveyor or engineer licensed by the State of Arizona and a copy of the Abandonment of Subdivision filed with the Arizona Department of Real Estate.

## **710 LAND DIVISIONS**

**710.01 Purposes.** In order to ensure that the minor division of land complies with applicable zoning regulations, does not create land-locked parcels, and does not constitute a subdivision, it is necessary to establish a ministerial review of all land divisions. In no way is it intended by this Article to prohibit or prevent the minor division of land as authorized and permitted by Arizona State Law and the City and these Subdivision Regulations.

**710.02 Applicability.** The provisions of this Article shall apply to land divisions of property located within the incorporated territory of the City.

**710.03 Permit Required.** No parcel of land may be divided into two or three separate parcels of land either by recording of a contract of sale or deed of conveyance or by requesting a split of a tax assessor parcel, unless a Land Division Permit, approved by the Director, has first been issued. The Director may review the history of transactions on the subject property through a series of owners and conveyances to determine that no further lot splits are permitted. A property owner of two contiguous parcels may divide one parcel once to create a maximum of three parcels total.

**710.04 Filing of Application.** Any applicant proposing a land division shall file an application for Land Division Permit with the Director. This application shall describe the property involved, including existing and proposed lot lines and access and utility easements, and identify all parties of interest to the division. Further, the application shall describe the manner in which the divided parcels are to obtain access.

**710.05 Fees.** Fees for filing of a Land Division Permit application shall be as listed in the City Fee Schedule.

**710.06 Action of the Director.** Upon receipt of a complete application, the Director shall approve or deny the Permit within five (5) working days. A denial can be based on one of the following findings:

- A. The parcels resulting from the division do not conform to applicable zoning regulations.
- B. The division of land would result in a subdivision as defined by this Code.
- C. One or more of the resulting parcels is landlocked.

**710.07 When a Land Division is Deemed a Subdivision.** Any land division or sequence of divisions which are the result of two or more individuals, firms, partnerships or corporations conspiring together to create four or more parcels of land, each less than thirty-six (36) acres in size shall be deemed a subdivision and subject to all provisions of this Code regulating subdivisions.

## **711 CONDOMINIUMS AND CONDOMINIUM CONVERSIONS (Air Space Planning)**

**711.01 Purpose.** It is the purpose of this section to establish the requirements for Condominium Developments and Condominium Conversions.

### **711.02 Application**

- A. The processing of subdivision plats for condominium developments shall follow the procedures set forth in these regulations for the processing of land subdivision plats. All sections of these regulations shall be applicable to condominium subdivisions.
- B. All plats for condominium subdivisions (including condominium conversions) shall show all of the information required under Section 704 of these regulations or as specified by the Department.
- C. Condominium development and condominium conversions shall also follow the procedures set forth in Section 704.
- D. In addition to the above, all plats shall show:
  - 1. Location, height, gross floor area and proposed uses of each existing structure and each proposed structure.
  - 2. Location and use and type of all open storage areas.
  - 3. Location of all private access ways, driveways, pedestrian ways, vehicle parking areas and curb cuts.
  - 4. Location of walls or fences.
  - 5. Location of all landscaped areas.
  - 6. Location of all recreational facilities.
  - 7. Location of parking facilities to be used in conjunction with each dwelling unit.
  - 8. Location of all signs.
  - 9. Structural elevations shall be required at the discretion of the Director. Elevations shall indicate type of materials used in construction, as well as the method used to provide sound insulation/attenuation in all common walls.
  - 10. Any other required information.
  - 11. Designation of all commonly owned property, including that within buildings.
- E. Final plats for condominiums shall be recorded before the issuance of a building permit.

**711.03 Applications Specific to Condominium Conversions.** In addition to the application submittal requirements set forth in Section 704 and Section 711.02, the following is also required:

- A. Preliminary plats for conversions of conventional apartment developments shall show:
  - 1. Firewall construction, if required by the Department.
  - 2. Additional parking, if required.
  - 3. Additional open space, if required.
  - 4. Location of individual utilities lines and meters, if needed.
- B. If the application is for a condominium conversion, a report to the City setting forth all repairs and replacements necessary and their probable cost, to immediately place the building in substantial compliance with current Building and Safety Codes. This report shall include a report prepared by a licensed mechanical engineer verifying the condition of the mechanical elements in the project, including but not limited to, furnaces, air conditioners, pumps, water heaters and plumbing fixtures.
- C. If the application is for a condominium conversion, a pest inspection and written report by a certified inspector.
- D. If the application is for a condominium conversion, a comprehensive building report which includes age, material and condition, where applicable, of the following:
  - 1. Type and age of construction.
  - 2. Walls, interior and exterior.
  - 3. Roof.
  - 4. Garages.
  - 5. Length of existing leases and average rents.
  - 6. Average length of tenancy for existing tenants.
  - 7. Estimated price range of converted units.
  - 8. Estimate of available similar housing in areas.

**711.04 Standards of Development**

- A. A Tentative Tract Map for a condominium development shall be prepared and submitted to the City, in accordance with the Subdivision Regulations of this Code.
- B. All condominiums and condominium conversions shall be developed in accordance with dwelling unit requirements set forth in the Uniform Plumbing and Electrical Codes adopted by the City.
- C. All existing buildings and structures shall be made to comply with all applicable building regulations of the City.
- D. Utility systems shall exist or shall be constructed to adequately provide for utility services to all condominium units.
- E. Each existing tenant of the project shall be given a one hundred twenty (120) day notification of the intended condominium conversion and the right to purchase his converted multiple dwelling unit before the unit is offered for sale.

**711.05 Special Conditions**

- A. Copies of the required Covenants, Conditions and Restrictions, Articles of Incorporation and, By-Laws or other documents of the owner's association or other entity which controls the common facilities shall be submitted to the City. These documents shall set forth the occupancy and management policies for the project, as well as contain adequate and satisfactory provisions for maintenance, repair and general upkeep.
- B. A minimum of two (2) parking spaces shall be provided for each dwelling unit. An additional parking space for guests shall be provided for each two (2) dwelling units. Guest parking spaces may be open. For new developments, off-street parking spaces shall be located on the same lot as the condominium unit and shall be constructed as an integral part of the condominium unit.
- C. A minimum area of four hundred (400) square feet per unit shall be provided in all condominium projects for recreational purposes. Patios of individual units may be included in the satisfaction of this condition.
- D. The City may vary from any or all of these conditions in order to ensure compatibility of the use with surrounding developments and uses in

order to preserve the public health, safety and welfare.